

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

BULLION MONARCH MINING, INC., a) 3:08-CV-227-ECR-VPC
Utah corporation,)
Plaintiff,) MINUTES OF THE COURT
vs.) DATE: July 28, 2010
)
NEWMONT USA LIMITED, a Delaware)
corporation, d/b/a NEWMONT MINING)
CORPORATION, and DOES I-X,)
inclusive,)
Defendant.)
)
NEWMONT USA LIMITED, a Delaware)
corporation, dba NEWMONT MINING)
CORPORATION,)
Counterclaimant,)
vs.)
BULLION MONARCH MINING, INC., a)
Utah corporation,)
Counterdefendant.)
)

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

Non-party Barrick Goldstrike Mines, Inc. ("Goldstrike") has filed several emergency motions (# 270, 272) seeking to intervene in this action for the limited purpose of asserting various privileges with respect to certain documents, which are among those that the Magistrate Judge has ordered (#268) to be produced by Defendant Newmont USA Limited ("Newmont")

to Plaintiff Bullion Monarch Mining, Inc. ("Bullion") no later than 5:00 P.M. on July 30, 2010.

Goldstrike appears to have a colorable claim of privilege over these documents, independent of the privileges that the Magistrate Judge determined Newmont had waived. Permitting Goldstrike to intervene for the limited purpose of asserting its privileges is appropriate.

IT IS, THEREFORE, HEREBY ORDERED that Goldstrike's emergency motions (## 270 and 272) are **GRANTED** on the following basis:

- Goldstrike is permitted to intervene in this action for the limited purpose of asserting its privileges with respect to the documents identified in Exhibit 1 to Goldstrike's memorandum in support of its emergency motion (#271-2).
- The Magistrate Judge's Order (#268) is stayed with respect to the documents identified in Exhibit 1 to Goldstrike's memorandum in support of its emergency motion (#271-2) until the merits of Goldstrike's claims of privilege can be determined.
- The Magistrate Judge's Order (#268) is not stayed with respect to any other documents.
- The matter of determining the merits of Goldstrike's claims of privilege is referred to the Magistrate Judge. We know that the Magistrate Judge is aware of the various deadlines approaching in this case, and we are confident that she will act as expeditiously as possible in resolving this matter.

LANCE S. WILSON, CLERK

By _____ /s/
Deputy Clerk